



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Randall W. Ayres

Art Unit: 3727

Serial No.: 09/710,723

Attorney

Filed: November 10, 2000

Docket No.: 101151-32201  
(formerly  
AYR322.01)

Title: DISPOSABLE BARRIER FOR A  
LABORATORY SPLASH PAN

PETITION UNDER 37 CFR 1.42

**MAIL STOP ISSUE FEE**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.42, Applicant's estate respectfully  
petitions the Commissioner to issue all Letters Patent from U.S.

**CERTIFICATION UNDER 37 CFR §§1.8(a)**

I hereby certify that this Petition Under 37 CFR 1.42 and the documents  
referred to as enclosed therein are being:

☒ deposited with the United States Post Service on this date, July 13,  
2004, in an envelope addressed to: Commissioner for Patents, Mail  
Stop Issue Fee, Alexandria, VA 22313-1450.

☒ with sufficient postage as first class mail (37 CFR §1.8(a))

Dated: July 13, 2004

*Marianne E. Boyles*  
Marianne E. Boyles

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07/19/2004 BABRAHA2 00000059 501760 09710723

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Serial No. 09/710,723, filed November 10, 2000, and with a Notice of Allowance and Fee Due mailed by the Office on April 15, 2004, to the Personal Representative of the estate of Randall W. Ayres.

A copy of the Last Will and Testament of Randall William Ayres, appointing Chris Ashley as Personal Representative of the Estate of Randall W. Ayres, is enclosed herewith, along with a copy of Mr. Ayres death certificate.

Please charge our deposit order account 501760 in the amount of \$100.00 for the petition fee. A duplicate copy of this petition is enclosed for that purpose.

**AUTHORIZATION TO PAY AND PETITION  
FOR THE ACCEPTANCE OF ANY NECESSARY FEES**

If any charges or fees must be paid in connection with the foregoing, or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fee, or any such overpayment may be respectively paid out of, or into, the Deposit Account No. 501760 of Higgs, Fletcher & Mack, LLP. If any such payment also requires a Petition or Extension Request, please construe this authorization to pay as the necessary Petition or request which is required to accompany the payment.

Dated: July 13, 2004

Respectfully submitted,

HIGGS, FLETCHER & MACK LLP

By



Charles F. Reidelbach, Jr.  
Attorney for Applicant  
Registration No. 36,649

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LAST WILL AND TESTAMENT

OF

RANDALL WILLIAM AYRES

I, Randall William Ayres, a resident of San Diego County, California, declare this to be my Will, hereby revoking all prior Wills and Codicils.

**FIRST:** I declare that I am not and have never been married. I declare that no children have been born to or legally adopted by me.

**SECOND:** I nominate Christine Ashley as Executor of my Last Will and Testament to serve without bond or surety of any kind. If Christine Ashley fails to qualify, is unable, is unwilling, or ceases to act as Executor, then I nominate James France as Executor to serve without bond. The term "Executor" as used in this Will shall include any personal representative(s) of my estate. I authorize my Executor to sell at either public or private sale and to lease, with or without notice, any property belonging to my estate, subject only to confirmation of court required by law.

**THIRD:** If at my death anyone who takes from me by my Will or by succession is under the age of eighteen (18) years, I appoint my Executor as guardian of any of the property that such minor takes from me. My Executor may, in my Executor's discretion, sell for the minor's account any part of the minor's share. Any property or its proceeds distributable to a person under the age of eighteen (18) years may be delivered without bond to any suitable person with whom the minor resides or who has care or control of the minor.

**FOURTH:** I direct my Executor to pay all of the expenses of my last illness, of the administration of my estate, and of the disposition of my remains. It is my wish that after my death, my remains be cremated, and my ashes delivered to my executor. I direct my Executor to arrange for the appropriate memorial services.

**FIFTH:** I give all property over which I have power of testamentary disposition as follows:

I give my entire estate, whether real, personal, or mixed, of every kind, nature, and description whatsoever, and wherever situated, which I may now own or hereafter acquire (except as noted below), or have the right to dispose of at the time of my death, by the power of appointment or otherwise, to my sister Christine Ashley. If my sister Christine Ashley predeceases me, then this gift shall pass instead to James France.

If my estate includes funds from the trust received at my mother's death, I wish for my estate to be divided equally between my sister Christine Ashley and my brother-in-law James France.

**SIXTH:** For the purposes of this Will, a beneficiary shall not be deemed to survive me if the beneficiary dies within thirty (30) days after the date of my death.

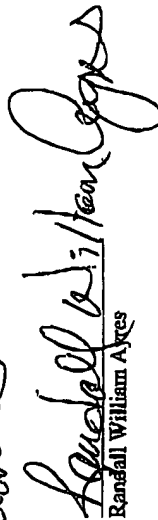
**SEVENTH:** If any person, whether or not related in any way by blood to me, shall either directly or indirectly attempt to oppose or set aside the probate of this Will, or to impair or invalidate any of its provisions in any legal proceeding that is designed to thwart my wishes as expressed in this Will, or to aid in the contesting of this Will, and such person shall establish a right to any part of my estate, any interest to that person is revoked and shall be disposed of in the same manner provided herein as if that contesting beneficiary had predeceased me without issue.

**EIGHTH:** I have not entered into either a contract to make wills or a contract not to revoke wills.

**NINTH:** As used in this Will, the masculine, feminine, or neuter gender, and the singular or plural number, shall each be deemed to include the others whenever the context so indicates.

**TENTH:** If any part, clause, provision, or condition of this Will is held to be void, invalid, or inoperative, I direct that such invalidity shall not affect any other part, clause, provision, or condition of this Will, and that the remainder of this Will shall be carried into effect as though such part, clause, provision, or condition had not been contained herein.

Now, therefore, in the presence of witnesses, I sign my name to this, my Last Will and Testament, consisting of 9 typewritten pages, including the Witness Attestation page, on this 9 day of March 2003 at San Diego, California.

  
Randall William Ayres

BEST AVAILABLE COPY

TO-HIGGS FLETCHER & MAC Page 003

From-5052875308

Received 07-13-04 09:34am

# WITNESS ATTESTATION

On the date written below, Randall William Ayres, hereinafter referred to as "Testator," declared to us, the undersigned, that this instrument, consisting of 3 pages, including the page on which we have signed as witnesses, was Testator's Will, and requested us to act as witness to it. Testator thereupon signed this Will in our presence, all of us being present at the same time. We now, at Testator's request, in Testator's presence, and in the presence of each other, subscribe our names as witnesses. At this time the Testator is, to the best of our knowledge, of sound mind and is not acting under duress, menace, fraud, misrepresentation, or undue influence.

We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this instrument was executed on the date written below in San Diego County, California.

Date: 3/6/03 [Signature]  
Witness Signature

Amy J. Fitzpatrick  
Printed Name of Witness

635 Broadway - Ste 925  
Address

San Diego, CA 92101  
City/State/Zip

Date: 3-6-03 [Signature]  
Witness Signature

ANN C. DUNHAM  
Printed Name of Witness

2101 SAN DIEGO AVE.  
Address

SAN DIEGO, CA 92101  
City/State/Zip



# CERTIFICATION OF VITAL RECORD

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### **AFFIDAVIT TO AMEND A RECORD**

**DEATH AFTER 4,800**  
**BOOMERS, WHOSE CHASTITY**

[illegible]

County of San Diego - Department of Health Services - JHS) Rochester Street This is to certify that, bearing the OFFICIAL SEAL OF THE STATE OF CALIFORNIA, the OFFICIAL SEAL OF SAN DIEGO COUNTY AND THEIR DEPARTMENT OF HEALTH SERVICES EMBOSSED SEAL, it is a true copy of the ORIGINAL DOCUMENT FILED. Witness my hand & official seal.

NANCY L BOWEN M.D.  
REGISTERED VITAL RECORDS  
County of San Diego

This copy not valid unless journeyed on registered border crossing seal and stamp of Registrar